

JOURNAL OF THE EXECUTIVE PROCEEDINGS OF THE SENATE OF THE UNITED STATES.

[Twenty-fifth Congress, first session.]

THURSDAY, SEPTEMBER 7, 1837.

The following messages were received from the President of the United States, by Mr. Abraham Van Buren, his secretary:

I nominate to the Senate Thomas Slidell to be attorney of the United States for the eastern district of Louisiana, in the place of Philip K. Laurence.

M. VAN BUREN.

WASHINGTON, *September 6th*, 1837.

I nominate to the Senate Philip K. Laurence to be judge of the United States for the district of Louisiana, in the place of Samuel H. Harper, deceased.

M. VAN BUREN.

WASHINGTON, *September 6th*, 1837.

To the Senate of the United States:

I nominate Alexander Wadsworth, a captain in the Navy, to be a commissioner of the Navy Board from the 17th of May, 1837.

Cicero Price, Alberto Griffith, John R. Goldsborough, Charles S. Boggs, and Augustus H. Kilty, now passed midshipmen, to be lieutenants in the Navy, from this date, to supply vacancies.

S. Wilson Kellogg, of New York; Joseph Beale, of Pennsylvania; William E. Coale, of Maryland; Edward J. Rutter, of Maryland; Richard J. Harrison, of Virginia; John T. Mason, of Virginia; James Malcolm Smith, of Pennsylvania; Charles William Tait, of Alabama; Charles D. Maxwell, of Pennsylvania, to be assistant surgeons in the Navy, from this date.

M. VAN BUREN.

WASHINGTON, *Sept'r 6th*, 1837.

To the Senate of the United States:

I nominate Robert Pettit, of Pennsylvania, to be a purser in the Navy, from the 6th day of April, 1837.

Philo White, of North Carolina, to be a purser in the Navy, from the 13th day of April, 1837.

Richard R. Waldron, of New Hampshire, to be a purser in the Navy, from the 15th day of June, 1837.

William Speiden, of the District of Columbia, to be a purser in the Navy, from the 30th day of August, 1837.

M. VAN BUREN.

WASHINGTON, *Sept. 6th*, 1837.

To the Senate of the United States:

I nominate William J. Barry, of Maryland, to be a second lieutenant in the Marine Corps.

M. VAN BUREN.

WASHINGTON, *Sept. 5th*, 1837.

To the Senate of the United States:

I transmit for the consideration of the Senate, with a view to its ratification, a general convention of peace, friendship, commerce, and navigation between the United States and the Peru-Bolivian Confederation, signed at Lima on the 30th of November, 1836, by Samuel Larned, the chargé d'affaires of the United States, and J. Garcia del Rio, minister of state in the department of finance of the North Peruvian State.

M. VAN BUREN.

WASHINGTON, *7th September*, 1837.

The messages were severally read.

On motion by Mr. Buchanan,

Ordered, That the treaty transmitted with the latter message be laid on the table, and printed in confidence for the use of the Senate.

FRIDAY, SEPTEMBER 8, 1837.

On motion by Mr. Rives,

Ordered, That the messages received yesterday nominating Alexander Wadsworth as a commissioner of the Navy Board, and containing nominations for appointments in the Navy and Marine Corps, be severally referred to the Committee on Naval Affairs.

On motion by Mr. Hubbard,

Ordered, That the messages received yesterday nominating Philip K. Laurence and Thomas Slidell be severally referred to the Committee on the Judiciary.

TUESDAY, SEPTEMBER 12, 1837.

The following messages were received from the President of the United States, by Mr. Abraham Van Buren, his secretary:

I nominate to the Senate Alfred M. Slade, of North Carolina, to be consul of the United States for the port of Buenos Ayres.

M. VAN BUREN.

WASHINGTON, *September 11th*, 1837.

I nominate to the Senate Samuel D. Patterson, of Pennsylvania, as marshal for the eastern district of that State, in the place of B. S. Bon-sall, deceased.

M. VAN BUREN.

WASHINGTON, *12th September*, 1837.

To the Senate of the United States:

Commissions having been granted during the recess of the Senate to the following persons for the offices respectively annexed to their names, I now nominate them to the same, viz:

Denny McCobb to be collector of the customs for the district and inspector of the revenue for the port of Waldoboro', in the State of Maine.

Edwin L. Cockle to be collector of the customs for the district of Teche

and inspector of the revenue for the port of Franklin, in the State of Louisiana, vice Edmund V. Davis, resigned.

William S. Bowen to be collector of the customs for the district and inspector of the revenue for the port of Bridgetown, in the State of New Jersey, vice Daniel Garrison, resigned.

Joseph Ramsey to be collector of the customs for the district and inspector of the revenue for the port of Plymouth, in the State of North Carolina, vice Levi Fagan, resigned.

Elias H. Haines to be collector of the customs for the district of Sandusky and inspector of the revenue for the port of Portland, in the State of Ohio, vice William H. Hunter, resigned.

James E. S. Duffy to be surveyor and inspector of the revenue for the port of Swansborough, in the State of North Carolina, vice James Wade, resigned.

William M. Jones to be surveyor and inspector of the revenue for the port of South Quay, in the State of Virginia, vice William D. Hodges, resigned.

David M. Sheffield to be surveyor and inspector of the revenue for the port of Saint Mark's, in the Territory of Florida, vice Ambrose Crane, resigned.

M. VAN BUREN.

WASHINGTON, *September 11th*, 1837.

To the Senate of the United States :

Commissions having been granted, during the recess of the Senate, to the following persons for the offices respectively annexed to their names, I now nominate them to the same, viz :

William H. Simmons to be register of the land office for the district of lands subject to sale at St. Augustine, in the Territory of Florida, vice Charles Downing, resigned.

John Dement to be receiver of public moneys for the district of lands subject to sale at Galena, in the State of Illinois, vice James W. Stephenson, resigned.

Thomas Lee to be receiver of public moneys for the district of lands subject to sale at Green Bay, in the Territory of Wisconsin, vice S. W. Beall, resigned.

Abram H. Andrus to be receiver of public moneys for the district of lands subject to sale at Opelousas, in the State of Louisiana, vice John L. Daniel, resigned.

M. VAN BUREN.

WASHINGTON, *September 11th*, 1837.

The messages were severally read.

On motion by Mr. Buchanan, and by unanimous consent, the Senate proceeded to consider the nomination of Samuel D. Patterson.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of Samuel D. Patterson, agreeably to the nomination.

Ordered, That the nomination of Alfred M. Slade to be consul, and the nominations of officers of the customs, be severally referred to the Committee on Commerce.

Ordered, That the nominations of land officers be severally referred to the Committee on Public Lands.

On motion by Mr. Buchanan,

Ordered, That the treaty with the Peru-Bolivian Confederation, trans-

mitted with the message of the 7th instant, be referred to the Committee on Foreign Relations.

Mr. Grundy, from the Committee on the Judiciary, to whom were referred the messages of the 7th instant nominating Philip K. Laurence and Thomas Slidell, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of Philip K. Laurnace and Thomas Slidell, agreeably to their nominations respectively.

TUESDAY, SEPTEMBER 19, 1837.

The following messages were received from the President of the United States, by Mr. Abraham Van Buren, his secretary :

I nominate to the Senate Arnold Halbach to be consul of the United States at Berlin, in the Kingdom of Prussia.

M. VAN BUREN.

WASHINGTON, *September 14th*, 1837.

I nominate to the Senate George R. Gliddon to be consul of the United States at Cairo, in Egypt.

M. VAN BUREN.

WASHINGTON, *September 14th*, 1837.

I nominate to the Senate Samuel H. Duval, of Florida, to be marshal for the middle district of Florida, in the place of Thomas E. Randolph, resigned.

M. VAN BUREN.

WASHINGTON, *Sept. 13th*, 1837.

To the Senate of the United States :

I nominate Henry B. Truett to be register of the land office for the district of lands subject to sale at Galena, in the State of Illinois, vice James Evans, deceased.

M. VAN BUREN.

WASHINGTON, *September 15th*, 1837.

I nominate to the Senate John McKinley to be one of the associate justices of the Supreme Court of the United States, in the place of William Smith, declined.

Virgil Maxcy to be chargé d'affaires of the United States to the King of the Belgians.

Henry D. Gilpin to be Solicitor of the Treasury.

Theodore S. Fay to be secretary of the legation of the United States at the court of His Majesty the King of Prussia, in the place of Charles A. Ingersoll, declined.

Benjamin Rush to be secretary of the legation of the United States near His Britannic Majesty.

Samuel R. Blackler to be consul for the Island of Otaheite and the rest of the Society Islands, in the place of T. A. Moerenhout.

Gregory A. Perdicaris to be consul for Athens, in Greece.

Henry A. Coleman to be consul for the port of Tabasco, in Mexico, in the place of Thomas R. Gray, resigned.

William P. Gilliam to be consul for the port of Monterey, in Upper California, in Mexico.

José Maria Castanos to be consul for the port of San Blas, in Mexico.
Ferdinand Gardner to be consul for the Cape de Verd Islands, in the place of William G. Merrill, resigned.

Edward F. Rivinus to be consul for the city of Dresden, in the Kingdom of Saxony.

John P. Duval to be secretary for the Territory of Florida, in the place of G. K. Walker, resigned.

James Maxwell to be melter and refiner at the branch mint at New Orleans, in the place of James B. Rogers, resigned.

Joseph S. Wilson to be principal clerk of private land claims in the General Land Office, in the place of Samuel D. King, resigned.

John M. Read to be attorney for the eastern district of Pennsylvania, in the place of Henry D. Gilpin.

Joseph Howard to be attorney for the district of Maine, in the place of John Anderson, resigned.

Peter Solomon to be marshal for the district of Georgia, in the place of Thomas H. Kenan, deceased.

John I. Yates to be deputy postmaster at Schenectady, in the State of New York.

Alexander Waugh to be a justice of the peace for the county of Alexandria, in the District of Columbia.

Clement Smith to be a justice of the peace for the county of Washington, in the District of Columbia.

All of whom were appointed to the offices for which they are herein respectively nominated, during the late recess.

M. VAN BUREN.

WASHINGTON, *September 18th*, 1837.

To the Senate of the United States:

I nominate Samuel C. White to be collector of the customs for the district and inspector of the revenue for the port of Folly Landing, in the State of Virginia, vice William Gillett, deceased.

M. VAN BUREN.

WASHINGTON, *September 16th*, 1837.

I nominate to the Senate John M. Marston, of Massachusetts, to be consul of the United States for the port of Palermo, in the Island of Sicily, in the place of Benjamin Gardner, deceased.

M. VAN BUREN.

WASHINGTON, *September 18th*, 1837.

I nominate to the Senate Robert Campbell to be consul of the United States for Genoa, in the place of Charles Barnet.

M. VAN BUREN.

WASHINGTON, *September 18th*, 1837.

The messages were severally read.

On motion by Mr. King, of Alabama,

Ordered, That the nominations of consuls and the collector of the customs, contained in the messages of this day, be severally referred to the Committee on Commerce.

On motion by Mr. Grundy,

Ordered, That the nominations of an associate justice of the Supreme Court, of secretary for the Territory of Florida, of the solicitor of the Treasury, and of marshals and district attorneys, be severally referred to the Committee on the Judiciary.

On motion by Mr. Walker,

Ordered, That the nominations of Henry B. Truett and Joseph S. Wilson be severally referred to the Committee on Public Lands.

On motion by Mr. Buchanan,

Ordered, That the nominations of the chargé d'affaires and secretaries of legation be severally referred to the Committee on Foreign Relations.

On motion by Mr. King, of Alabama,

Ordered, That the nominations of justices of the peace be severally referred to the Committee on the District of Columbia.

On motion by Mr. Wright,

Ordered, That the nomination of James Maxwell be referred to the Committee on Finance.

Mr. King, of Alabama, from the Committee on Commerce, to whom was referred the message of the 12th instant nominating Alfred M. Slade, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of Alfred M. Slade, agreeably to the nomination.

Mr. King, of Alabama, from the Committee on Commerce, to whom was referred the message of the 12th instant nominating officers of the customs, reported.

Whereupon,

On motion by Mr. Williams,

Ordered, That the nomination of Denny McCobb, contained in said message, be postponed to the next session of Congress.

On motion by Mr. King, of Alabama,

Resolved, That the Senate do advise and consent to the appointment of Edwin L. Cockle, William S. Bowen, Joseph Ramsey, Elias H. Haines, James E. S. Duffy, William M. Jones, and David M. Sheffield, agreeably to their nominations respectively.

On motion by Mr. Robinson,

Ordered, That the nomination of John I. Yates, contained in a message of this day, be referred to the Committee on the Post-Office and Post-Roads.

Mr. Buchanan, from the Committee on Foreign Relations, to whom was this day referred the nomination of Virgil Maxcy, reported.

Whereupon

The Senate proceeded, by unanimous consent, to the consideration of the said nomination; and,

On motion by Mr. Buchanan,

Resolved, That the Senate do advise and consent to the appointment of Virgil Maxcy, agreeably to the nomination.

MONDAY, SEPTEMBER 25, 1837.

Mr. Grundy, from the Committee on the Judiciary, to whom were referred several nominations contained in the messages of the 19th instant, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of John McKinley, Henry D. Gilpin, John P. Duval, John M. Read, Joseph Howard, Peter Solomon, and Samuel H. Duval, agreeably to their nominations respectively.

Mr. Kent, from the Committee on the District of Columbia, to whom were referred the nominations of justices of the peace, contained in a message of the 19th instant, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of Alexander Waugh and Clement Smith, agreeably to their nominations respectively.

Mr. Wright, from the Committee on Finance, to whom was referred, on the 19th instant, the nomination of James Maxwell, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of James Maxwell, agreeably to the nomination.

Mr. Buchanan, from the Committee on Foreign Relations, to whom were referred, on the 19th instant, the nominations of Theodore S. Fay and Benjamin Rush, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of Theodore S. Fay and Benjamin Rush, agreeably to their nominations respectively.

The following message was received from the President of the United States, by Mr. Abraham Van Buren, his secretary :

To the Senate of the United States :

I nominate James W. Gwinn, of North Carolina, to be commissioner under the 17th article of the treaty with the Cherokees of December 29th, 1835.

M. VAN BUREN.

WASHINGTON, *September 22nd*, 1837.

The message was read.

On motion by Mr. Tipton,

Ordered, That the nomination contained in said message be referred to the Committee on Indian Affairs.

Mr. King, of Alabama, from the Committee on Commerce, to whom was referred, on the 19th instant, the nomination of Samuel C. White, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of Samuel C. White, agreeably to the nomination.

TUESDAY, SEPTEMBER 26, 1837.

The following messages were received from the President of the United States, by Mr. Abraham Van Buren, his secretary :

I nominate to the Senate Joseph S. Sanchez, of St. Augustine, Florida, to be marshal of the eastern district of Florida, in the place of Samuel Blair, deceased.

M. VAN BUREN.

WASHINGTON, *September 23d*, 1837.

To the Senate of the United States :

I nominate Samuel W. Downing, now a lieutenant, to be a commander in the Navy from this date, to supply a vacancy occasioned by the death of George Budd.

William Chandler and John A. Russ, now passed midshipmen, to be lieutenants in the Navy from this date, to supply vacancies occasioned by the promotion of Lieut. Downing and resignation of Lieut. Gillet.

M. VAN BUREN.

WASHINGTON, *September 23d*, 1837.

The messages were read.

On motion by Mr. Grundy,

Ordered, That the nomination of Joseph S. Sanchez be referred to the Committee on the Judiciary.

On motion by Mr. Webster,

Ordered, That the nominations for promotions in the Navy be referred to the Committee on Naval Affairs.

Mr. Rives, from the Committee on Naval Affairs, to whom were referred the several messages of the 7th instant, containing nominations of a commissioner in the Navy Board and of officers in the naval service and Marine Corps, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of Alexander Wadsworth, Cicero Price, Alberto Griffith, John R. Goldsborough, Charles S. Boggs, Augustus H. Kilty, S. Wilson Kellogg, Joseph Beale, William E. Coale, Edward J. Rutter, Richard J. Harrison, John T. Mason, James Malcolm Smith, Charles William Tait, Charles D. Maxwell, Robert Pettit, Philo White, Richard B. Waldron, William Speiden, and William J. Barry, agreeably to their nominations respectively.

On motion by Mr. Rives that the vote confirming the nomination of Philo White be reconsidered,

On motion by Mr. Preston,

Ordered, That the said motion be laid upon the table.

Mr. Walker, from the Committee on Public Lands, to whom was referred the nomination of Joseph S. Wilson, contained in a message of the 19th instant, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of Joseph S. Wilson, agreeably to the nomination.

WEDNESDAY, OCTOBER 4, 1837.

The following messages were received from the President of the United States, by Mr. Abraham Van Buren, his secretary :

To the Senate of the United States :

I nominate Isaac T. Doughty, of New York, to be a second lieutenant in the Marine Corps from this date, to fill a vacancy occasioned by the resignation of John T. Sprague.

M. VAN BUREN.

WASHINGTON, September 26th, 1837.

To the Senate of the United States :

I nominate to the Senate Thomas R. Gray to be consul of the United States for the port Velasco, in Texas.

M. VAN BUREN.

WASHINGTON, October 2nd, 1837.

To the Senate of the United States :

I transmit herewith, for the consideration of the Senate, a treaty concluded with the Miami tribe of Indians, by General Marshall, in 1834, with explanatory documents from the Department of War, and ask its advice in regard to the ratification of the original treaty with the amendments proposed by the Secretary of War; the treaty, with the amend-

ments, in the event of its ratification by the United States, to be again submitted to the chiefs and warriors of the Miami tribes for their sanction or rejection.

M. VAN BUREN.

WASHINGTON CITY, *October 2nd*, 1837.

The messages were severally read.

On motion by Mr. Tipton,

Ordered, That the nomination of Isaac T. Doughty be referred to the Committee on Naval Affairs.

On motion by Mr. King, of Alabama,

Ordered, That the nomination of Thomas R. Gray be referred to the Committee on Commerce.

On motion by Mr. Tipton,

Ordered, That the message, with the treaty and documents, be referred to the Committee on Indian Affairs.

On motion by Mr. White,

Ordered, That the said treaty and accompanying documents be printed in confidence for the use of the Senate.

Mr. Robinson, from the Committee on the Post-Office and Post-Roads, to whom was referred the nomination of John I. Yates, contained in a message of the 19th ultimo, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of John I. Yates, agreeably to the nomination.

Mr. King, of Alabama, from the Committee on Commerce, to whom were referred the nominations of Arnold Halbach, George R. Gliddon, Samuel R. Blackler, and Gregory A. Perdicaris, contained in messages of the 19th ultimo, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of Arnold Halbach, George R. Gliddon, Samuel R. Blackler, and Gregory A. Perdicaris, agreeably to their nominations respectively.

Mr. Tallmadge, from the Committee on Naval Affairs, to whom was this day referred the nomination of Isaac T. Doughty, reported.

On motion by Mr. Tallmadge, and by unanimous consent, the Senate proceeded to consider the said nomination.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of Isaac T. Doughty, agreeably to the nomination.

MONDAY, OCTOBER 9, 1837.

The following messages were received from the President of the United States, by Mr. Abraham Van Buren, his secretary:

I nominate to the Senate Stewart Newell to be consul of the United States for the port of Velasco, in Texas.

M. VAN BUREN.

WASHINGTON, *October 5th*, 1837.

I nominate to the Senate Alexander Ruden, junior, to be consul of the United States for the port of Paita, in Peru.

M. VAN BUREN.

WASHINGTON, *October 6th*, 1837.

I nominate to the Senate John H. Polhemus to be consul of the United States for the South Peruvian State.

M. VAN BUREN.

WASHINGTON, *October 6th*, 1837.

I nominate to the Senate Charles I. Bullus to be consul of the United States for the port of Xibara, in the island of Cuba.

M. VAN BUREN.

WASHINGTON, *October 7th*, 1837.

I hereby recall the nomination of Thomas R. Gray for the appointment of consul for Velasco, in Texas, and nominate him to the Senate to be consul for Trinidad de Cuba, in the island of Cuba, in the place of Edward C. Watmough, resigned.

M. VAN BUREN.

WASHINGTON, *October 4th*, 1837.

To the Senate of the United States:

I withdraw the nomination of James W. Gwinn for the office of a commissioner under the 17th article of the treaty with the Cherokees, concluded on the 29th of December, 1836; and submit in place thereof the name of Thomas Wilson, of North Carolina.

M. VAN BUREN.

To the Senate of the United States:

I nominate the persons named in the accompanying list for promotion and appointment in the Army to the several grades annexed to their names, as proposed by the Secretary of War.

M. VAN BUREN.

WASHINGTON, *October 4th*, 1837.

WAR DEPARTMENT.

SIR: I have the honor respectfully to propose for your approbation the annexed list of officers for regular promotion, and persons for appointment in the Army of the United States.

I am, sir, with great respect, your obedient servant,

J. R. POINSETT.

To the PRESIDENT OF THE UNITED STATES.

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington.

PROMOTIONS AND APPOINTMENTS IN THE ARMY OF THE UNITED STATES.

Corps of Engineers.

Brevet Second Lieutenant Charles H. Bigelow to be second lieutenant, 30th June, 1837, vice Morell, resigned.

Danville Leadbetter, late second lieutenant of the 1st Regiment of Artillery, to be brevet second lieutenant, 1st July, 1836.

Joseph R. Anderson, late second lieutenant of the 3d Regiment of Artillery, to be brevet second lieutenant, 1st July, 1836.

Montgomery C. Meigs, late second lieutenant of the 1st Regiment of Artillery, to be brevet second lieutenant, 1st July, 1836.

Daniel P. Woodbury, late second lieutenant of the 3d Regiment of Artillery, to be brevet second lieutenant, 1st July, 1836.

Cadet Henry W. Benham to be brevet second lieutenant, 1st July, 1837.

First Regiment of Dragoons.

First Lieutenant Benjamin D. Moore to be captain, 15th June, 1837, vice Duncan, resigned.

First Lieutenant James Allen to be captain, 30th June, 1837, vice Browne, resigned.

First Lieutenant J. H. K. Burgwin to be captain, 31st July, 1837, vice Ford, resigned.

Second Lieutenant Henry S. Turner to be first lieutenant, 3d March, 1837.

Second Lieutenant Abram R. Johnston to be first lieutenant, 15th June, 1837, vice Moore, promoted.

Second Lieutenant Philip R. Thompson to be first lieutenant, 30th June, 1837, vice Allen, promoted.

Second Lieutenant Benjamin S. Roberts to be first lieutenant, 31st July, 1837, vice Burgwin, promoted.

Cadet P. Davidson to be second lieutenant, 1st July, 1837.

Cadet Robert H. Chilton to be second lieutenant, 1st July, 1837.

Richard G. Stockton, late second lieutenant of the 1st Regiment of Dragoons, to be second lieutenant, 13th May, 1837.

Thomas McCrate, late second lieutenant of the 1st Regiment of Dragoons, to be second lieutenant, 1st August, 1837.

William Bowman, of Pennsylvania, sergeant-major, to be second lieutenant, 1st August, 1837.

Daniel Henry Rucker, of Michigan, to be second lieutenant.

Second Regiment of Dragoons.

First Lieutenant T. S. Bryant to be captain, 26th September, 1837, vice Gordon, resigned.

Second Lieutenant George Forsyth to be first lieutenant, 26th September, 1837, vice Bryant, promoted.

Cadet William Hardia to be second lieutenant, 1st July, 1837.

Cadet Franklin Saunders to be brevet second lieutenant, 1st July, 1837.

Brevet Second Lieutenant Franklin Saunders to be second lieutenant, 11th September, 1837, vice McNeil, killed.

Lawrence Pike Graham, of Virginia, to be second lieutenant.

First Regiment of Artillery.

Second Lieutenant Louis A. B. Walbach to be first lieutenant, 19th May, 1837, vice Kennedy, deceased.

Cadet William W. Mackall to be second lieutenant, 1st July, 1837.

Cadet Israel Vogdes to be second lieutenant, 1st July, 1837.

Cadet Bennett H. Hill to be second lieutenant, 1st July, 1837.

Cadet William H. French to be second lieutenant, 1st July, 1837.

Cadet Joseph Hooker to be second lieutenant, 1st July, 1837.

Cadet Arthur M. Rutledge to be second lieutenant, 1st July, 1837.

Cadet William H. Fowler to be second lieutenant, 1st July, 1837.

Cadet Robert M. McLane to be second lieutenant, 1st July, 1837.

Second Regiment of Artillery.

Brevet Major Matthew M. Payne, captain of the 4th Regiment of Artillery, to be major, 17th December, 1836, vice Gates, promoted.

First Lieutenant James Green to be captain, 20th June, 1837, vice Mallory, resigned.

Second Lieutenant James M. Morgan to be first lieutenant, 31st May, 1837, vice Fuller, resigned.

Second Lieutenant Henry L. Kendrick to be first lieutenant, 20th June, 1837, vice Green, promoted.

Cadet John W. Gunnison to be second lieutenant, 1st July, 1837.

Cadet Edwin W. Morgan to be second lieutenant, 1st July, 1837.

Cadet William W. Chapman to be second lieutenant, 1st July, 1837.

Cadet Lewis G. Arnold to be second lieutenant, 1st July, 1837.

Cadet Francis Woodbridge to be second lieutenant, 1st July, 1837.

Cadet Edward D. Townsend to be second lieutenant, 1st July, 1837.

Cadet Henry C. Pratt to be second lieutenant, 1st July, 1837.

Cadet John Sedgwick to be second lieutenant, 1st July, 1837.

Cadet William Armstrong to be second lieutenant, 1st July, 1837.

Cadet Arnold E. Jones to be second lieutenant, 1st July, 1837.

Third Regiment of Artillery.

Major William Gates, of the 2nd Regiment of Artillery, to be lieutenant-colonel, 17th December, 1836.

Second Lieutenant William Wall to be first lieutenant, 16th March, 1837, vice Newton, deceased.

Second Lieutenant James H. Simpson to be first lieutenant, 30th April, 1837, vice Smith, resigned.

Second Lieutenant Roswell W. Lee to be first lieutenant, 18th May, 1837, vice Harris, deceased.

Second Lieutenant John A. Thomas to be first lieutenant, 30th June, 1837, vice Rose, resigned.

Second Lieutenant Morris S. Miller to be first lieutenant, 19th August, 1837, vice Maitland, deceased.

Cadet Braxton Bragg to be second lieutenant, 1st July, 1837.

Cadet Alexander B. Dyer to be second lieutenant, 1st July, 1837.

Cadet Robert T. Jones to be second lieutenant, 1st July, 1837.

Cadet Jubal A. Early to be second lieutenant, 1st July, 1837.

Cadet George Taylor to be second lieutenant, 1st July, 1837.

Cadet George C. Rodney to be second lieutenant, 1st July, 1837.

Cadet Edward J. Steptoe to be second lieutenant, 1st July, 1837.

Cadet Randolph Ridgely to be second lieutenant, 1st July, 1837.

Cadet Francis O. Wyse to be brevet second lieutenant, 1st July, 1837.

Brevet Second Lieutenant Francis O. Wyse to be second lieutenant, 31st July, 1837, vice J. R. Anderson, resigned.

Fourth Regiment of Artillery.

First Lieutenant William W. Morris to be captain, 17th December, 1836, vice Payne, promoted.

Second Lieutenant John H. Miller to be first lieutenant, 17th December, 1836, vice Morris, promoted.

Second Lieutenant Alexander E. Shiras to be first lieutenant, 31st May, 1837, vice Johnston, resigned.

Cadet Eliakim P. Scammon to be second lieutenant, 1st July, 1837.
Cadet Thomas Williams to be second lieutenant, 1st July, 1837.
Cadet A. Park Gregory to be second lieutenant, 1st July, 1837.
Cadet William T. Martin to be second lieutenant, 1st July, 1837.
Cadet Edmund Bradford to be second lieutenant, 1st July, 1837.
Cadet Joshua H. Bates to be second lieutenant, 1st July, 1837.
Cadet John C. Pemberton to be second lieutenant, 1st July, 1837.
Cadet Charles F. Wooster to be second lieutenant, 1st July, 1837.
Cadet James R. Soley to be brevet second lieutenant, 1st July, 1837.
Brevet Second Lieutenant James R. Soley to be second lieutenant, 31st August, 1837, vice Sing, resigned.

First Regiment of Infantry.

James McAlister, of Tennessee, to be second lieutenant, 3d September, 1837.

Second Regiment of Infantry.

Cadet John M. Harvie to be second lieutenant, 1st July, 1837.

Third Regiment of Infantry.

Lucius O'Brien, of Maryland, to be second lieutenant, 3d September, 1837.

Fourth Regiment of Infantry.

First Lieutenant Gouverneur Morris to be captain, 6th September, 1837, vice Glassell, promoted.

Second Lieutenant Abram C. Myers to be first lieutenant, 6th September, 1837, vice Morris, promoted.

Cadet William G. Grandin to be second lieutenant, 1st July, 1837.

George Lincoln, of Massachusetts, to be second lieutenant, 14th September, 1837.

Fifth Regiment of Infantry.

First Lieutenant Moses E. Merrill to be captain, 22nd June, 1837, vice Russell, resigned.

Second Lieutenant Randolph B. Marcy to be first lieutenant, 22nd June, 1837, vice Merrill, promoted.

Second Lieutenant John T. Sprague, of the Marine Corps, to be second lieutenant, 3d July, 1837.

Sixth Regiment of Infantry.

Major Alexander R. Thompson to be lieutenant-colonel, 6th September, 1837, vice Bliss, resigned.

Brevet Major James M. Glassell, captain of the 4th Regiment of Infantry, to be major, 6th September, 1837, vice Thompson, promoted.

First Lieutenant George H. Crossman to be captain, 30th April, 1837, vice Waters, resigned.

First Lieutenant Joseph Van Swearingen to be captain, 31st July, 1837, vice Wickliffe, resigned.

First Lieutenant Joseph S. Worth to be captain, 31st July, 1837, vice Batman, deceased.

Second Lieutenant Thomas L. Alexander to be first lieutenant, 18th April, 1837, vice Eaton, dropped.

Second Lieutenant John Conrad to be first lieutenant, 31st July, 1837, vice Van Swearengen, promoted.

Second Lieutenant George H. Griffin to be first lieutenant, 31st July, 1837, vice Worth, promoted.

Second Lieutenant J. Edmund Blake to be first lieutenant, 6th September, 1837, vice Williams, resigned.

Brevet Second Lieutenant William H. De Forrest to be second lieutenant, 18th April, 1837, vice Alexander, promoted.

Cadet Samuel Woods to be second lieutenant, 1st July, 1837.

Cadet John B. S. Todd to be second lieutenant, 1st July, 1837.

Cadet Samuel D. J. Moore to be second lieutenant, 1st July, 1837.

Cadet Wm. H. T. Walker to be brevet second lieutenant, 1st July, 1837.

Brevet Second Lieutenant Wm. H. T. Walker to be second lieutenant, 31st July, 1837, vice Conrad, promoted.

James Monroe, of Virginia, to be second lieutenant, 17th August, 1837.

Charles S. Lovell, late sergeant-major, to be second lieutenant.

Seventh Regiment of Infantry.

Cadet Walter Sherwood to be second lieutenant, 1st July, 1837.

Cadet Nevil Hopson to be second lieutenant, 1st July, 1837.

Woodburne Potter, of ———, to be second lieutenant, 16th August, 1837.

Pay Department.

Paymaster Benjamin F. Larned to be reappointed paymaster, to take effect on the 24th November, 1837, when his present commission will expire.

Medical Department.

Assistant Surgeon William L. Wharton to be surgeon, 22nd July, 1837, vice Minis, resigned.

Silas R. Arnold, of New York, to be assistant surgeon, 1st July, 1837.

Josiah Simpson, of Pennsylvania, to be assistant surgeon, 11th July, 1837.

William J. Sloan, of Pennsylvania, to be assistant surgeon, 12th July, 1837.

William S. King, of Pennsylvania, to be assistant surgeon, 29th July, 1837.

F. L. Sewall, of Alabama, to be assistant surgeon.

R. JONES,
Adj't Gen'l.

Respectfully submitted to the Secretary of War.

ALEX. MACOMB,
Major Gen'l, Comd'g in Chief, United States Army.

The messages were severally read.

On motion by Mr. King, of Alabama,

Ordered, That the several nominations of consuls contained in the messages of this day be referred to the Committee on Commerce.

On motion by Mr. White,

Ordered, That the Committee on Indian Affairs be discharged from the consideration of the nomination of James W. Gwinn; and that the message of this day withdrawing the name of that individual and nominating Thomas Wilson to the same office be referred to the Committee on Indian Affairs.

On motion by Mr. Benton,

Ordered, That the message of this day containing nominations for promotions and appointments in the Army be referred to the Committee on Military Affairs.

TUESDAY, OCTOBER 10, 1837.

The following messages were received from the President of the United States, by Mr. Abraham Van Buren, his secretary:

To the Senate of the United States:

I nominate Francis Leech to be receiver of public moneys for the district of lands subject to sale at Columbus, in the State of Mississippi, vice Gordon D. Boyd, resigned.

M. VAN BUREN.

WASHINGTON, *October 9th*, 1837.

To the Senate of the United States:

Commissions having been granted during the recess of the Senate to the following persons for the offices respectively annexed to their names, I now nominate them to the same, viz:

James N. Barker to be collector of the customs for the district of Philadelphia, in the State of Pennsylvania.

George W. Tucker to be collector of the customs for the district of Little Egg Harbor and inspector of the revenue for the port of Tuckerton, in the State of New Jersey.

M. VAN BUREN.

WASHINGTON, *October 9th*, 1837.

The messages were severally read.

On motion by Mr. Walker,

Ordered, That the nomination of Francis Leech be referred to the Committee on Public Lands.

On motion by Mr. King, of Alabama,

Ordered, That the nominations of collectors of the customs contained in a message of this day be referred to the Committee on Commerce.

Mr. Grundy, from the Committee on the Judiciary, to whom was referred, on the 26th of September, the nomination of Joseph S. Sanchez, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of Joseph S. Sanchez, agreeably to the nomination.

Mr. King, of Alabama, from the Committee on Commerce, to whom were referred the nominations of Henry E. Coleman, William P. Gilliam, José Maria Castanos, Ferdinand Gardner, Edward F. Rivinus, Robert Campbell, and John M. Marston, contained in messages of the 19th ultimo, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of Henry E. Coleman, William P. Gilliam, José Maria Castanos, Ferdinand Gardner, Edward F. Rivinus, Robert Campbell, and John M. Marston, agreeably to their nominations respectively.

Mr. Buchanan, from the Committee on Foreign Relations, to whom was referred, on the 12th of September, the treaty with the Peru-Bolivian Confederation, reported the same without amendment.

The said treaty was read the second time.

The Senate proceeded to consider, as in Committee of the Whole, the said treaty; and no amendment having been made thereto, it was reported to the Senate.

Mr. Buchanan submitted the following resolution:

Resolved (two-thirds of the Senators present concurring), That the Senate do advise and consent to the ratification of the general convention of peace, friendship, commerce, and navigation between the United States of America and the Peru-Bolivian Confederation, concluded at the city of Lima, on the 30th day of November, 1836.

The resolution was considered by unanimous consent.

On the question to agree thereto,

It was determined in the affirmative, yeas 36.

Those who voted are,

Messrs. Allen, Benton, Buchanan, Clay of Alabama, Clay of Kentucky, Crittenden, Fulton, Hubbard, King of Alabama, King of Georgia, Knight, Linn, Lyon, McKean, Morris, Nicholas, Niles, Norvell, Pierce, Rives, Roane, Robbins, Robinson, Smith of Connecticut, Smith of Indiana, Southard, Spence, Strange, Swift, Tipton, Walker, Wall, White, Williams, Wright, Young.

Ordered, That the Secretary lay the said resolution before the President of the United States.

Mr. White, from the Committee on Indian Affairs, to whom was referred, on the 9th instant, the nomination of Thomas Wilson, reported.

On motion by Mr. White,

Ordered, That the said nomination be laid on the table.

Mr. Walker, from the Committee on Public Lands, to whom was referred, on the 12th of September, the nominations of William H. Simons, John Dement, Thomas Lee, and Abraham T. Andrus, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of William H. Simons, John Dement, Thomas Lee, and Abraham T. Andrus, agreeably to their nominations respectively.

WEDNESDAY, OCTOBER 11, 1837.

Mr. White, from the Committee on Indian Affairs, to whom was referred, on the 4th instant, the treaty with the Miami Indians of the 23d of October, 1834, reported the same with an amendment thereto.

The treaty was read the second time and considered as in Committee of the Whole.

On the question, Will the Senate advise and consent to the ratification of the original articles of this treaty?

The yeas and nays were called, and a quorum not being present,

On motion by Mr. Clay, of Alabama,
The Senate adjourned.

THURSDAY, OCTOBER 12, 1837.

Mr. White submitted a communication from the Secretary of War relative to a complaint of a delegation of the Sac and Fox Indians concerning an alteration in the treaty with that tribe of 1836 by the resolution of ratification of that treaty by the Senate.

On motion by Mr. White,

Ordered, That it be referred to the Committee on Indian Affairs.

The Senate resumed, as in Committee of the Whole, the consideration of the treaty with the Miami tribe of Indians, and the amendment thereto proposed by the Committee on Indian Affairs.

And the question recurring, Will the Senate advise and consent to the ratification of the original articles of this treaty?

It was determined in the negative, nays 35.

Those who voted are,

Messrs. Allen, Benton, Buchanan, Clay of Alabama, Clay of Kentucky, Crittenden, Fulton, Grundy, Hubbard, Kent, King of Alabama, King of Georgia, Linn, Lyon, McKean, Nicholas, Niles, Norvell, Prentiss, Rives, Roane, Robbins, Ruggles, Smith of Connecticut, Smith of Indiana, Southard, Swift, Tallmadge, Tipton, Walker, Wall, White, Williams, Wright, Young.

The amendment proposed by the Committee on Indian Affairs having been concurred in, the said treaty, as amended, was reported to the Senate.

The question was again stated, Will the Senate advise and consent to the ratification of the original articles of this treaty?

And determined in the negative, nays 32.

Those who voted are,

Messrs. Allen, Buchanan, Clay of Alabama, Clay of Kentucky, Crittenden, Fulton, Grundy, Hubbard, Kent, King of Alabama, King of Georgia, Linn, Lyon, McKean, Niles, Norvell, Prentiss, Rives, Roane, Smith of Connecticut, Smith of Indiana, Southard, Strange, Swift, Tallmadge, Tipton, Walker, Wall, White, Williams, Wright, Young.

The following resolution, reported from the Committee on Indian Affairs, was then considered by unanimous consent:

Resolved (two-thirds of the Senators present concurring), That the Senate do advise and consent to the ratification of the treaty between the United States of America and the Miami tribe of Indians, concluded at the Forks of the Wabash, in the State of Indiana, on the 23d day of October, 1834, with the following amendment: *Provided*, That the chiefs and warriors of the said tribe shall, in general council, as on the occasion of concluding the aforesaid treaty, agree to and sign the same:

Strike out the whole of said treaty after the title and insert the following in lieu thereof:

Articles of a treaty between the United States and the Miami tribe of Indians, concluded at the Forks of the Wabash, in the State of Indiana, on the 23d day of October, 1834, by and between William Mar-

shall, commissioner of the United States, and the chiefs and warriors of said tribe:

ARTICLE 1. The Miami tribe of Indians agree to cede to the United States the following described tracts of land within the State of Indiana, being a part of reservations made to said tribe from former cessions, now conveyed for and in consideration of the payments stipulated to be made to them in the 2nd article of this treaty of cession.

One tract of land, thirty-six sections, at Flat Belly's village, a reserve made by the treaty of Wabash of 1826.

Also, one tract of land about twenty-three thousand acres more or less, a reserve made at Wabash treaty in 1826, of five miles in length on the Wabash River, extending back to Eel River.

Also, one other tract of ten sections at Racoon Village, and a tract of ten sections at Mudd Creek, on Eel River, reserves made at Wabash treaty of 1826.

Also, one reserve of two miles square, on the Salamany River, at the mouth of At-che-pong-quaw Creek, reserve made at the treaty of St. Mary's of 1818.

Also, one other tract being a portion of the ten miles square reserve, made at the treaty of St. Mary's of 1818, opposite the mouth of the river Aboutle, commencing at the northeast corner of said reserve, thence south with the eastern boundary of the same ten miles to the southeast corner of the reserve, thence west with the southern boundary one mile, thence north nine miles, thence west nine miles, thence north one mile to the northwest corner of said reserve, thence to the place of beginning.

The Miamies also agree to cede a portion of their big reserve, made at the treaty of St. Mary's of 1818, situated southeast of the Wabash, extending along the Wabash River, from the mouth of Salamany River to the mouth of Eel River. The part now ceded shall be embraced within the following bounds, to wit: Commencing on the Wabash River, opposite the mouth of Eel River, running up said Wabash River eight miles, thence south two miles, thence westwardly one mile, thence south to the southern boundary of said reserve, thence along said boundary line seven miles to the southwest corner, thence northerly with the western boundary line to the place of beginning.

ARTICLE 2. For and in consideration of the cession made in the first article of this treaty, the United States agree to pay the Miami tribe of Indians the sum of two hundred and eight thousand dollars; of this sum fifty-eight thousand dollars to be paid within six months from the ratification of this treaty; fifty thousand dollars to be applied to the payment of the debts of the tribe, and the remaining sum of one hundred thousand dollars in annual installments of ten thousand dollars per year.

ARTICLE 3. From the cession made in the first article of this treaty, there shall be granted to each of the persons named in the schedule hereunto annexed, and to their heirs and assigns, by patent from the President of the United States, the lands therein named.

ARTICLE 4. It is agreed between the parties to this treaty, that a patent in fee simple shall be issued by the President of the United States to John B. Richardrille, principal chief of the Miami tribe, for a reserve of ten sections at the Forks of the Wabash, made to said tribe by treaty of twenty-third October, 1826, he having an Indian title to the same, a copy of which, marked A, accompanies this treaty.

ARTICLE 5. The United States agree to furnish a skillful miller, to superintend a mill for the Miamies, in lieu of the gunsmith promised by the 5th article of the treaty of St. Mary's of 1818.

ARTICLE 6. The United States agree to have the buildings and improvements on the lands ceded by the first article of this treaty valued. To cause a similar amount in value laid out in building, clearing, and fencing ground, for the use of the Indians, on such place or places as their chiefs may select, and that the Indians have peaceable possession of the houses and improvements on the lands ceded by the first article of this treaty, until the improvements are made as provided for in this article.

ARTICLE 7. The United States agree to pay the Miami Indians fifteen hundred dollars for horses heretofore stolen from them by the whites.

ARTICLE 8. The United States agree to cause patents in fee simple to issue to the following named persons for the several tracts of land attached to their names, granted to them by former treaties, to wit:

To Little Charley, for five sections of land above the old village on the north side of Eel River, granted to him by treaty of Wabash of 1826.

To Laronture's daughter, for one section of land on the Maumee River, granted to her by treaty of Wabash of 1826.

To To-pe-ah, son of Francis Lafontain, for one section, granted to him by treaty of Saint Mary's of 1818.

To Met-chin-e-quea, for two sections of land, granted him by treaty of Wabash of 1826, at the old town on Eel River.

To Francis Godfrey, for four sections of land on the Salamany River, granted him at treaty of Saint Mary's of 1818, being the residue of what he now holds of said grant.

ARTICLE 9. There shall be granted to Hugh Hanna one quarter section of land in lieu of one selected and not approved on the grant made to Guire at treaty of Wabash of 1826 (Hanna having purchased of Guire), the selection to be made under the direction of the President of the United States.

Schedule of grants referred in the 3d article.

To Francis Godfroy, one section of land at the lower line of the five-mile reserve on the Wabash River, to be located adjoining the town of Peru; one half section to be located on said Wabash River, opposite his trading house, and one half section to be located on that part the big reserve southwest side the Wabash, above and adjoining the two sections granted to John B. Richardrille; and one half section back and adjoining the one granted to John B. Richardrille, opposite the mouth of Eel River.

To Tee-pe-ah, one section of land, commencing one mile from the northeast corner of the ten-mile reserve, opposite the mouth of Aboit River (granted by treaty of Saint Mary's of 1818), thence south one mile, thence west one mile, thence north one mile, thence east to the place of beginning.

To Wa-pa-se-pah, son of Lafontain, one section of land west of and adjoining the one to To-pe-ah.

To Ne-ah-long-quaw, two sections of land west and adjoining the one to Wa-pa-se-pah.

To A-saw-som-ma-quah, or Susan, one section of land west and adjoining the one to Ne-ah-long-quaw.

To Poqua, son of Francis Godfroy, one half section west and adjoining the one to Susan.

To Francis Godfroy, one half section of land west and adjoining the one to Poqua.

To Paul Longlois, one section of land on the Wabash River, to include his field.

To Chappene, one section of land, to include Racoon Village, commencing two poles west of the graveyard northwest of the village, thence on an easterly direction to river About, thence with said river until it strikes the reserve line, thence with said line for quantity to include within the bounds one section of land; also, one other section of land, west and adjoining the half section granted to Francis Godfroy on the ten-mile reserve.

To John B. Richardrille, principal chief of the Miami tribe, one section of land on the five mile reserve, opposite the mouth of the Mississineway River, to include the improvement made by Joseph Richardrille, deceased; also one quarter section of land on the Wabash River, at the upper part of the five-mile reserve; also two sections of land on the big reserve, commencing on the Wabash River opposite the mouth of Eel River, running up said river two miles, thence back for quantity so as to include within the bounds two sections of land.

To Mac-keh-teh-maug-guaw, or Black Loon, one section of land to be located on the Wabash River, at the upper line of that part of the big reserve ceded by the first article of this treaty.

To Chin-qua-qua, or Duck, one section of land to be located on said Wabash River, below and adjoining the one granted to Black Loon.

To O san-dear one section of land back and adjoining the one granted to Black Loon.

To Wa-pa-pe-she one section of land back and adjoining the one granted to Duck.

To Peter Longlois one half section of land to be located at a point on Wildcat where the old trace from Mississineway to Thorntown crosses the same.

To the sons of Dupee one half section of land to be located on the ——— reserve at Racoon village, to be located under the direction of the President of the United States.

To Peter Guier one half section of land to be located back of the one granted to Wa-pa-pe-she.

To Waw-pee-mung-quah one section of land on the ten-mile reserve, adjoining the one to Chappene.

To Ca-ta-ke-mon-gua, daughter of Godfroy and Angelique, one section of land, to be located adjoining the one to Waw-pee mung-quah.

To Rebecca Hackley one quarter section of land to be located under the direction of the President of the United States.

On the question to agree to said resolution,

It was determined in the affirmative, {	Yeas	32
	Nays	1

Those who voted in the affirmative are,
Messrs. Allen, Benton, Buchanan, Clay of Alabama, Clay of Kentucky, Crittenden, Fulton, Grundy, Hubbard, Kent, King of Georgia, Linn, Lyon, McKean, Nicholas, Niles, Norvell, Prentiss, Rives, Roane, Smith of Connecticut, Smith of Indiana, Strange, Swift, Tallmadge, Tipton, Walker, Wall, White, Williams, Wright, Young.
And Mr. Southard voted in the negative.

Ordered, That the Secretary lay this resolution before the President of the United States.

Mr. Walker, from the Committee on Public Lands, to whom was referred the nomination of Henry B. Truett on the 19th of September and that of Francis Leech on the 10th instant, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of Henry B. Truett and Francis Leech, agreeably to those nominations respectively.

On motion by Mr. Strange,

The Senate resumed the consideration of the nomination of Thomas Wilson to be a commissioner under the treaty with the Cherokee Indians of 29th of December, 1835.

Whereupon

Mr. Strange submitted additional documents on the subject of said nomination; and,

On his motion,

Ordered, That the said nomination, with the additional documents, be recommitted to the Committee on Indian Affairs.

Mr. King, of Alabama, from the Committee on Commerce, to whom was referred, on the 9th instant, the nominations of Stewart Newell, Alexander Ruden, John H. Polhemus, Charles I. Bullus, and Thomas R. Gray, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of Stewart Newell, Alexander Ruden, John A. Polhemus, Charles I. Bullus, and Thomas R. Gray, agreeably to their nominations respectively.

Mr. King, of Alabama, from the Committee on Commerce, to whom were referred, on the 10th instant, the nominations of James N. Barker and George W. Tucker, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of George W. Tucker, agreeably to the nomination.

FRIDAY, OCTOBER 13, 1837.

The following messages were received from the President of the United States, by Mr. Abraham Van Buren, his secretary:

To the Senate of the United States:

I nominate James Murray, of Maryland, for appointment as one of the commissioners "to adjust the claims to reservations for land under the 14th article of the treaty of 1830, with the Choctaw Indians," under the provisions of the act of Congress of 3d March, 1837, in the place of Thomas I. Randolph, who declined the appointment.

M. VAN BUREN.

WASHINGTON, *October 10th*, 1837.

I nominate to the Senate Payton Gay to be consul of the United States for the island of Martinique.

M. VAN BUREN.

WASHINGTON, *October 11th*, 1837.

I nominate to the Senate James Semple, of Illinois, to be chargé d'affaires of the United States to the Republic of New Granada.

M. VAN BUREN.

WASHINGTON, *October 12th*, 1837.

To the Senate of the United States :

I nominate Patrick Redmond to be register of the land-office for the district of lands subject to sale at Tuscaloosa, in the State of Alabama, vice John H. Vincent, resigned.

M. VAN BUREN.

WASHINGTON, *October 11th*, 1837.

Gentlemen of the Senate :

I nominate for your advice and consent Joshua D. Coffee to be deputy postmaster at Florence, in the State of Alabama, vice John D. Coffee, deceased.

Nicholas D. Coleman to be deputy postmaster at Vicksburg, in the State of Mississippi, vice Phillip W. Ward, deceased.

Ezra Daggett to be deputy postmaster at Milledgeville, in the State of Georgia, vice Solomon D. Betton, removed.

M. VAN BUREN.

WASHINGTON, *October 12th*, 1837.

The messages were severally read.

Ordered, That the nominations of Joshua D. Coffee, Nicholas D. Coleman, and Ezra Daggett be severally referred to the Committee on the Post-Office and Post Roads.

Ordered, That the nomination of Patrick Redmond be referred to the Committee on Public Lands.

Ordered, That the nomination of James Semple be referred to the Committee on Foreign Relations.

Ordered, That the nomination of James Murray be referred to the Committee on Private Land Claims.

Ordered, That the nomination of Payton Gay be referred to the Committee on Commerce.

Mr. White, from the Committee on Indian Affairs, to whom was referred, on the 12th instant, a letter from the Secretary of War, relative to a complaint of a delegation of the Sac and Fox Indians, reported the following preamble and resolution :

Whereas, in the second article of the treaty made with the confederated tribe of Sac and Fox Indians, dated the 28th day of September, 1836, provision is made for the payment of sundry debts said to be due from said Indians to several individuals whose names are mentioned in said article; and whereas the said treaty was submitted by the President of the United States to the Senate for its advice as to its ratification; and whereas the Senate advised the ratification of said treaty with sundry amendments, and among them recommended, that the provision before mentioned for the payment of said debts to the individuals named should be stricken out, and in lieu thereof a provision inserted by which the sum of forty-eight thousand four hundred and fifty-eight dollars eighty-seven and a half cents should be applied to the payment of such debts as should be found to be due by the superintendent of said Indians, &c.; and whereas the said Indians have refused to give their assent to said amendment; therefore, it is now

Resolved (two-thirds of the Senators present concurring), That the Sen-

ate do advise and consent to the ratification of said treaty, without the amendment before mentioned; and that, so far as it relates to said debts, the treaty be construed and executed in the manner set forth therein when it was executed by the contracting parties.

The said preamble and resolution were considered, by unanimous consent, and agreed to.

Mr. Benton, from the Committee on Military Affairs, to whom were referred, on the 9th instant, the nominations for promotions and appointments in the Army of the United States, contained in a message of that day, reported.

Whereupon

Resolved, That the Senate do advise and consent to the said promotions and appointments, agreeably to the nominations respectively.

Mr. Grundy, from the Committee on the Post-Office and Post-Roads, to whom was this day referred the nominations of deputy postmasters, reported.

Whereupon

The Senate proceeded, by unanimous consent, to the consideration of said nominations.

On motion by Mr. Grundy,

Resolved, That the Senate do advise and consent to the appointment of Joshua D. Coffee, Nicholas D. Coleman, and Ezra Daggett, agreeably to their nominations respectively.

Mr. White, from the Committee on Indian Affairs, to whom was re-committed the nomination of Thomas Wilson, with the additional documents relating thereto, reported.

On motion by Mr. White, that the nomination of Thomas Wilson be indefinitely postponed,

The yeas and nays being desired by one-fifth of the Senators present, it appeared that a quorum was not in attendance.

On motion by Mr. Clay, of Kentucky,

The Senate adjourned.

SATURDAY, OCTOBER 14, 1837.

On motion by Mr. Buchanan,

The Senate proceeded, by unanimous consent, to consider the nomination of James N. Barker, reported from the Committee on Commerce on the 12th instant.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of James N. Barker, agreeably to the nomination.

Mr. Buchanan, from the Committee on Foreign Relations, to whom was referred the nomination of James Semple, contained in a message of yesterday, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of James Semple, agreeably to the nomination.

The Senate then resumed the unfinished business of yesterday, the question recurring on the indefinite postponement of the nomination of Thomas Wilson; and the yeas and nays having been ordered,

It was determined in the negative, {	Yeas	10
	Nays	22

Those who voted in the affirmative are,
Messrs. Clay of Kentucky, Clayton, Kent, King of Georgia, Nicholas, Prentiss, Robbins, Ruggles, Southard, White.

Those who voted in the negative are,
Messrs. Allen, Benton, Buchanan, Clay of Alabama, Fulton, Grundy, Hubbard, King of Alabama, Linn, McKean, Niles, Norvell, Roane, Smith of Connecticut, Smith of Indiana, Strange, Tallmadge, Walker, Wall, Williams, Wright, Young.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of Thomas Wilson, agreeably to the nomination.

Mr. Walker, from the Committee on Public Lands, to whom was yesterday referred the nomination of Patrick Redmond, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of Patrick Redmond, agreeably to the nomination.

The following message was received from the President of the United States, by Mr. Abraham Van Buren, his secretary :

To the Senate of the United States :

I nominate William A. T. Maddox, of Maryland, to be a 2nd lieutenant in the Marine Corps, in the place of William J. Barry, who declines accepting the appointment.

M. VAN BUREN.

WASHINGTON CITY, *October 14th*, 1837.

The message was read.

On motion by Mr. Grundy,

Ordered, That it be referred to the Committee on Naval Affairs.

Mr. Linn, from the Committee on Private Land Claims, to whom was yesterday referred the nomination of James Murray, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of James Murray, agreeably to the nomination.

Mr. Norvell, from the Committee on Commerce, to whom was yesterday referred the nomination of Payton Gay, reported.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of Payton Gay, agreeably to the nomination.

SATURDAY EVENING, 5 O'CLOCK.

Mr. Rives, from the Committee on Naval Affairs, to whom was this day referred the nomination of William A. T. Maddox, reported.

The Senate proceeded, by unanimous consent, to the consideration of said nomination.

Whereupon

Resolved, That the Senate do advise and consent to the appointment of William A. T. Maddox, agreeably to the nomination.

Mr. Rives, from the Committee on Naval Affairs, to whom were referred, on the 26th of September, the nominations of Samuel W. Downing, William Chandler, and John Russ, reported.

On motion by Mr. Rives,

Ordered, That the said nominations be laid on the table.

The following message was received from the President of the United States, by Mr. Abraham Van Buren, his secretary:

To the Senate of the United States:

I nominate the persons named in the accompanying list for promotion and appointment in the Army to the several grades annexed to their names, as proposed by the Secretary of War.

M. VAN BUREN.

WASHINGTON, 14th October, 1837.

WAR DEPARTMENT, 14th October, 1837.

SIR: I have the honor respectfully to propose for your approbation the annexed list of officers for regular promotion, and persons for appointment in the Army of the United States.

I am, sir, with great respect, your ob't serv't,

J. R. POINSETT.

To the PRESIDENT OF THE UNITED STATES.

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, 14th October, 1837.

PROMOTIONS AND APPOINTMENTS IN THE ARMY OF THE UNITED STATES.

Second Regiment of Dragoons.

First Lieutenant John Graham to be captain, 1st October, 1837, vice Bean, resigned.

First Lieutenant Townsend Dade to be captain, 1st October, 1837, vice Anderson, resigned.

Second Lieutenant John H. P. O'Neal to be first lieutenant, 1st October, 1837, vice Graham, promoted.

Second Lieutenant Zebulon M. P. Maury to be first lieutenant, 1st October, 1837, vice Dade, promoted.

Lewis S. Craig, of Virginia, to be second lieutenant, vice O'Neal, promoted.

John Rutledge Parker, of South Carolina, to be second lieutenant, vice Maury, promoted.

First Regiment of Infantry.

First Lieutenant James W. Kingsbury to be captain, 3d October, 1837, vice Smith, resigned.

Second Lieutenant Thomas M. Hill to be first lieutenant, 3d October, 1837, vice Kingsbury, promoted.

A. H. Stewart, of Connecticut, to be second lieutenant, vice Hill, promoted.

R. JONES,
A. Gen'l.

Respectfully submitted to the Sec'y of War.

ALEX. MACOMB,
Maj.-Gen'l Com'g in Chief.

The message was read.

On motion by Mr. Linn,

Ordered, That the nominations contained in said message be referred to the Committee on Military Affairs.

Mr. Wall, from the said committee, reported.

The Senate proceeded, by unanimous consent, to consider the said nominations.

Whereupon

Resolved, That the Senate do advise and consent to the promotions and appointments in the Army of the United States, contained in said message, agreeably to their nominations respectively.